

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

AEROGROUP INTERNATIONAL, INC.,	:	
Plaintiff,	:	Civil Action No. 08-4217 (SDW)
v.	:	
OZBURN-HESSEY LOGISTICS, LLC	:	<u>ORDER</u>
and OZBURN-HESSEY HOLDING	:	
COMPANY, LLC.,	:	
Defendants/Third Party Plaintiffs,	:	
v.	:	
DISTRIBUTION MANAGEMENT	:	
GROUP, INC.,	:	
Third Party Defendant.	:	
	:	
	:	

THIS MATTER having come before the Court on the motion of Plaintiff Aerogroup International Inc. (“Aerogroup”) for a protective order and a motion to compel discovery against Defendants/Third Party Plaintiffs Ozburn-Hessey Logistics, LLC and Ozburn-Hessey Holding Company, LLC (collectively “OHL”), pursuant to Fed. R. Civ. P. 26 and 37 (Docket Entry No. 106); and the Court having considered the submissions of the parties, having heard oral argument on July 14, 2010; and for the reasons expressed on the record; and for good cause shown,

IT IS on this 15th day of July, 2010,

ORDERED that Aerogroup’s motion for a protective order is **DENIED WITHOUT**

PREJUDICE; and it is further

ORDERED that Aerogroup's motion to compel is hereby **DENIED** in all respects; however, Aerogroup shall re-serve document requests narrowly tailored concerning OHL's contracts and/or performance issues with other start up customers; and it is further

ORDERED THAT Aerogroup's application for reasonable fees and costs incurred in filing the instant motion to compel and motion for a protective order, pursuant to Fed. R. Civ. P. 37, is hereby **DENIED**.



MADELINE COX ARLEO
UNITED STATES MAGISTRATE JUDGE

cc: Clerk of the Court
Hon. Susan D. Wigenton, U.S.D.J.
All Parties
File